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C O N F I D E N T I A L SECTION 01 OF 04 ANKARA 006116

SIPDIS

DEPARTMENT FOR EUR/SE

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TAGS: PGOV PREL PHUM TU

SUBJECT: HUMAN RIGHTS REPORT CALLING FOR NEW CONCEPT OF "MINORITY" SPOTLIGHTS FUNDAMENTAL CHALLENGES FOR TURKEY

REF: ANKARA 3236

Classified By: (U) Classified by Polcouns John Kunstadter; reasons: E.O. . 12958 1.4 (b, d).

¶1. (C) Summary: A GOT human rights board's report recommending Turkey update its concept of "minority" to make it consistent with Western European practices has stirred sharp controversy. Report notes Turkey continues to apply a narrow, discriminatory definition of "minority" based on Turkish State's mis-interpretation of 1923 Lausanne Treaty. These "non-Muslim" minorities are de facto barred from holding positions in core State institutions. FM Gul and other GOT officials have criticized the report, asserting it reflects only the views of a minority of board members. However, the report's conclusions are consistent with our observations and many contacts affirm the substance of the report. In the midst of a tense GOT-EU debate over the definition of "minority," head of the EU Commission office in Ankara asserts the GOT's narrow definition may violate a number of international conventions signed by Turkey. This long-overdue debate reveals that Turkey, despite major legal reforms on paper, remains distant from the West in fundamental civil-society respects. End Summary.

Report Calls For New "Minority" Definition

¶2. (U) The Minorities Working Group of the Prime Ministry's Human Rights Consultation Board on October 22 submitted a report calling on the GOT to develop a new concept of "minority" consistent with practice in contemporary Western societies and underscoring the discriminatory way in which those who are not Muslims are not considered "Turks".

¶3. (U) The report notes that while the West has recognized the existence of ethnic, linguistic, and religious minorities for centuries, Turkey continues to apply a narrow, legalistic definition of "minority" rooted in the 1923 Lausanne Treaty. The Lausanne text refers to the rights of "non-Muslim" minorities; it makes no reference to ethnic or linguistic minorities. Moreover, the Turkish State interprets the treaty as conferring legal minority status exclusively to only three "non-Muslim" communities -- Greek Orthodox Christians, Armenian Orthodox Christians, and Jews -- although these groups are not specified in the text.

¶4. (U) The report draws attention to the Turkish State's continuing practice of ignoring a Lausanne article stating that "all Turkish nationals" have the right "to use any language they wish in commerce, in public and private meetings and in all types of press and publication media." Turkey has long restricted the use of Kurdish and other non-Turkish languages; under recent EU-related reforms non-Turkish news and cultural broadcasts have been permitted only under tight restrictions (reftel).

¶5. (U) To this day, according to the report, the Turkish State has based Turkish identity on the Turkish language and the Muslim faith. "Non-Muslim" Turks are blocked de facto from participating in key State institutions such as the armed forces, the MFA, law enforcement, and the Turkish National Intelligence Organization, according to the report (Note: this is consistent with our observations. End Note). Turks who are not Muslim or who speak languages other than Turkish are discriminated against -- including by the courts -- for being "of foreign origin with Turkish citizenship" rather than Turks. The report calls on the GOT to amend the Constitution and all relevant laws to embrace the Western concepts of equal rights for all citizens and cultural rights for all ethnic/linguistic/religious groups.

Officials Reject Report

¶6. (U) The report was drafted by a subcommittee of the 78-member Consultation Board. Many Board members -- who include police, Jandarma and government officials, in addition to human rights observers -- reacted angrily when they learned of the report, and accused Board Chairman Ibrahim Kaboglu of adopting the text without the approval of

the majority of Board members. Kaboglu, an Istanbul University professor, insists that the report was adopted according to Board regulations -- by a majority of members present at a meeting attended by more than half the Board members.

¶7. (U) High-level GOT officials have also criticized the report. FM Gul asserted that the report's conclusions were inspired by "jealousy" and claimed that the GOT had not asked the Board to prepare such a report. Vahit Bicak, head of the Human Rights Presidency (attached to the PM's office), declared that the report does not reflect the GOT view. Board members were temporarily locked out of their meeting room at the Prime Ministry. Fethi Bolayir, president of the Societal Thought Association, reportedly applied to the prosecutor's office to press treason charges against the lead author of the report.

EU Has Also Raised Minority Issue

¶8. (U) The report surfaced in the press at a moment when Turkish sensitivities on the question of minorities are at a peak. The GOT and EU are engaged in a tense debate over the way the Turkish State defines minorities. GOT officials and Turkish pundits criticized the EU Commission for referring to Kurds and Alevis as minorities in its October 6 reports on Turkey. Ambassador Kretschmer, head of the EU Commission Representation to Turkey, has said publicly that Turkey's official definition of "minority" may be in conflict with a number of international conventions signed by Turkey.

Non-Muslims Have Second-Class Status

¶9. (C) A wide range of contacts has expressed to us views consistent with the report. Baskin Oran, the Ankara University professor who headed the subcommittee that drafted the report, told us recently that the Turkish Republic has failed to establish a modern, pluralistic concept of "Turkishness." Turkish identity, he averred, continues to be defined in the context of a "millet residue" -- a reference to the "millet" system under which non-Muslims in the Ottoman Empire maintained separate legal and educational systems and were generally treated as second-class subjects. To this day, you cannot be considered a "real" Turk if you are not Muslim. Turks refer to the country's non-Muslims as "Turkish Citizens" -- by which they mean non-Turks who hold citizenship -- while Muslims are simply called "Turks."

¶10. (C) Suavi Aydin, a Hacettepe University anthropologist and expert on Anatolian minorities, asserted to us that the ethnic aspect of Turkishness is complex, and less significant than the religious/linguistic aspect. In the 19th and early 20th centuries, large numbers of Islamized immigrants -- principally from the Balkans (mostly of Slavic origin but including people who had converted, at least nominally, from Judaism) and the Caucasus -- poured into Anatolia. It is widely known that many Turks today are descendants of these immigrants. Aydin said no one knows what percentage of modern Turks actually descend from the original Turkmen population of Anatolia; he estimated it is probably around 50 percent (note: his estimate is widely at variance with the figure of 6,000,000, or 8.5% of the population, used confidentially by the Turkish State, according to leading

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national security analyst Faruk Demir. From our own observations throughout Anatolia and the comments to us of other anthropologists and sociologists, we think Demir's figure is accurate. End note).

¶11. (C) Turks rarely openly analyze their nation's ethnic diversity, but they recognize it in the faces of their compatriots, Aydin continued. Since the early days of the Republic, immigrants have been pressured to speak Turkish exclusively, adopt Islam (at least nominally; practicing the faith is optional) and leave behind their native language and culture. All who did so were accepted as Turks, in the interest of establishing a large, unified, uniform nation. Any efforts to study or comment on ethnic diversity are viewed as threats to the State. Oran recalled a saying posted on the classroom wall when he was in elementary school: "Citizen, Speak Turkish." At the time, he viewed it as encouragement to use proper Turkish grammar; he now recognizes it as a warning to immigrants.

Kurds, Alevis Present Dilemma

¶12. (C) Aydin said the Kurds represent a unique dilemma for the Turkish State -- they are Muslims, but many of them maintain their mother tongue and assert their cultural

identity. This explains why the State long tried to deny the existence of the Kurds as a distinct group, asserting until the early 1990's that they are "mountain Turks" who speak a "dialect." There appears to be no discrimination against Kurds as long as they are assimilated into mainstream Turkish society and do not make an issue of their Kurdish identity. Such Kurds can hold high positions in the government and bureaucracy. But those who speak Kurdish or otherwise highlight their ethnic/cultural identity are viewed as separatists.

¶13. (C) Tunc Ugdul, MFA Deputy Director General for International Political Organizations, recently confirmed to us the State's awkward relation to the Kurds. Ugdul criticized the EU for referring to Kurds as a "minority," averring that, "We do not consider the Kurds a minority because Kurds can become soldiers, police, judges, and high-level government officials. They are not one of the minorities that is prevented from holding those kinds of positions." When asked whether it is official policy to bar minorities from government jobs, Ugdul bobbed and weaved, answering uneasily that non-Muslims are underrepresented in government.

¶14. (U) Alevis also face suspicion as a large group outside the Sunni Muslim mainstream. Some Alevis do not consider themselves Muslim, while others view Alevism as a branch of Islam. The GOT rejects any description that implies Alevis constitute a religious minority. During a visit to Germany in 2003, PM Erdogan stated that Alevism is "not a religion" and that Alevi Cem houses are "culture houses" rather than "temples." Many Alevis claim that Turks who openly identify themselves as Alevi are barred from higher-level positions in government. However, at least until recently, a fair number of senior officers in the Turkish military were reportedly Alevi.

Comment

¶15. (C) Owing to the "secular" nature of the working group, the report fails to examine the status and role of religion as it relates to the unresolved questions of minorities, individual and national identity, and development of civic society. Nevertheless, the report cogently exposes the heavy social, intellectual, and psychological costs stemming from the Turkish State's fearful and discriminatory approach to minorities. Moreover, in concert with the EU's October 6 reports, the report has sparked a long-overdue debate on one of the most sensitive, unresolved issues in Turkey.

¶16. (C) Unfortunately, there are as yet no voices on the GOT side calling for change. The EU-related reform process has focused on legal amendments, and the GOT has racked up impressive accomplishments on paper in that field. But Turkey's antiquated, suspicious approach toward minorities serves as a reminder that the gap between Turkey and the West is in some areas much wider than is usually acknowledged. A pro-Turkey Danish diplomat formerly assigned to Ankara used to say that the Turkey that joins the EU will have to be very different from the Turkey that begins its harmonization process. We agree. If harmonization is to be successful, Turkey will have to undergo a profound, radical change in the relationship between the State and its citizens. In this regard, as many of our Turkish interlocutors admit, a Turkey that hasn't figured out what it means to be "Turkish" will not have the self-confidence truly to integrate with Europe.
EDELMAN